

# FARMINGTON CITY COUNCIL MEETING

Wednesday, December 8, 2004

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## CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

**PRESENT:** Mayor David M. Connors, Council Members David Hale, Larry W. Haugen, Susan T. Holmes, Sid Young, and Rick Dutson, City Manager Max Forbush, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Mayor Connors arrived late because of other meetings he had to attend.

**Mayor Protem Holmes** began discussion at 6:00 P.M. The first item of review was the audit report of the City finances.

**Keith Johnson** introduced Michael and Charles Ulrich, the independent auditors hired to review City finances. He reported the City had received the Certification of Achievement from the State of Utah regarding the financial order of the City, indicating a high level of performance in financial practices.

**Michael and Charles Ulrich** led a discussion of the recent audit. The details of the audit were presented each member of the City Council in published form. The GASB34 State-required method of analysis had been used in producing the financial audit. Mr. Ulrich discussed the General Fund and noted that recent economy trends had impacted the general sales tax revenues. Also mentioned were the revenues received from building permits. The City had experienced a huge growth spurt in the last few years. That growth will eventually slow down making those revenues undependable. At total City build out, building permits will be at zero. Mr. Ulrich talked about the General Fund, noting the amount of discretionary funds on hand. State law requires cities do not drop below a certain percentage, nor exceed a certain percentage in discretionary funds on hand. Farmington had actually exceeded the percentage and would need to spend the amount within the next two years.

[Mayor Connors arrived at 6:15 P.M.]

**Mr. Forbush** stated the surplus in excess of 18% had already been budgeted in the FY 05 amended expenditure budget.

**Mr. Forbush and Mr. Johnson** excused themselves from the meeting.

**Mr. Ulrich** stated having staff excused provided for a format where discrepancies could be discussed in full disclosure with the City Council. He reviewed several areas of potential problems and reported there were no discrepancies in Farmington City office practices. Ten employees had been interviewed as part of the analysis. Mr. Ulrich stated that Farmington City had, as far as the auditors could detect, sound and honest financial practices in all areas and that employees were satisfied and cooperative.

**Mr. Forbush and Mr. Johnson** were invited back to the meeting after the detailed discussion.

**Mr. Forbush** suggested the City should conduct a transportation impact fee analysis evaluation relatively soon.

**Mayor Connors** asked that the Council consider where the Leisure Services budget category was listed. He expressed concern that it was not logical nor prudent to have the category in the Enterprise Fund listing. The City does not expect that some of the services provided for by the Leisure Services Department will totally fund themselves. Having that department under the General Fund may be more logical. It seemed that having the expenditures under the Enterprise Fund puts the City at some risk, since it is evident the areas within the department do not match expenses with revenues, nor is it expected that they would do so.

Members of the Council felt that if they could get the same information which was given in the Enterprise Fund, it may be well to consider putting the Leisure Services budget under the General Fund. The Finance Director was asked to present pros and cons for moving the Leisure Services budget item to the General Fund. He was asked to have the information ready for the review of the City Council during an upcoming meeting.

#### **STUDY SESSION/KITCHEN AREA**

**Mr. Petersen** reviewed a possible violation of a conditional use permit. An historic building had been demolished without legal permission. The City Attorney had reviewed the situation. Action would be appropriate in order to protect other historic properties in the City. Several options were discussed.

By consensus, the Council directed the City Planner to notify the property owner that they would be proceeding at their own risk if they continued to build prior to being reviewed by the Planning Commission in their first meeting in January. The Council felt there should be a strong message sent to the violator.

**Mr. Petersen** commented that the Planning Commission would not have approved the building of the garage on the property had they known that the historic home was going to be demolished.

#### **REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER**

**PRESENT:** Mayor David M. Connors, Council Members David Hale, Larry W. Haugen, Susan T. Holmes, Sid Young, and Rick Dutson, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, Laura Ashby (Youth City Council), and Deputy Recorder Jeane Chipman.

**Mayor Connors** called the meeting to order at 7:10 P.M. The invocation was offered by **David Hale** and the Pledge of Allegiance was led by **Fire Chief Larry Gregory**. Mayor Connors introduced Laura Ashby of the Youth City Council.

### **APPROVAL OF MINUTES OF PREVIOUS MEETING**

**David Hale** moved to approve the minutes of the December 1, 2004, City Council Meeting with amendments as noted. **Larry Haugen** seconded the motion. The voting was unanimous in the affirmative.

### **FIRE DEPARTMENT AWARD OF “SERVICE” RECOGNITION TO 11 FIREMEN (Agenda Item #3)**

**Chief Gregory** said he was pleased to be able to recognize several firemen who had demonstrated such outstanding performance in protecting the City of Farmington. He said he wanted to give something that would be meaningful to those receiving the award and showed the rings that were going to be given. Emergency calls for service have nearly doubled in the last few years. The awards given recognized the efforts of the emergency workers in all kinds of weather, in all kinds of dangerous conditions, and at all times of the day. The Chief expressed gratitude for the wives and families of the fire department members. They sacrifice a great deal of personal time with their husbands.

**Mr. Forbush** said it was appropriate to say thank you to the 11 gentlemen receiving the awards in a public forum. There is never a worry about whether or not the department will do their job. Mr. Forbush recalled catastrophic events in the City to which these men had responded. The men had given a high level of service in the efforts they had given on behalf of the citizens of Farmington.

**Mayor Connors** expressed the thanks of the Council and himself for the work of the men of the Fire Department. In spite of the very busy agenda of the Council, Mayor Connors felt that this item was more important than any other item. He related a personal experience when the men of the Fire Department had responded to an accident experienced by a close relative. There were no words to express the gratitude felt by those who are helped by the firemen. When the City was threatened by mud slides and fires, all the men of the Fire Department were there helping and working for the benefit of the citizens. He thanked the firemen sincerely on behalf of all Farmington City citizens.

**Mayor Connors, Chief Gregory, and the City Manager** presented rings to five firemen who had 10 to 15 years of service to the City; three firemen who had 20 years of service; and three who had in excess of 25 years.

### **AUDIT REPORT (Agenda Item #4)**

**Michael Ulrich** stated the auditors had offered a “clean report” of the financial situation of the City. Offering a “clean report” meant that no infractions of sound financial practices had been detected. He reviewed several details of the published audit report. The auditors had conducted interviews with employees of the City and had investigated several areas of potential fraud. No discrepancies or inconsistencies had been found. Overall, the auditors felt the City was running well and was financially sound.

### **Motion**

**David Hale** moved that the City Council accept the audit report and commended the City’s Finance Director for receiving the Certificate of Achievement. **Larry Haugen** seconded the motion, which passed by unanimous vote.

### **PUBLIC HEARING: CONSIDERATION TO ENACT NEW COMMERCIAL MIXED USE ZONING TEXT (CONTINUED FROM DECEMBER 1, 2004, CITY COUNCIL AGENDA)** **(Agenda Item #5)**

**Council Member Haugen** recused himself from the rostrum and did not participate in discussion of the agenda item as a Council member.

**Mr. Petersen** stated that the Planning Commission had held a public hearing and had reviewed the proposed Commercial Mixed Use (CMU) zone. They put as many uses in the “permitted” list as possible. The Planning Commission discussed in detail the possibility of allowing storage units as a conditional use in the CMU. They decided to eliminate the restrictions and leave the storage unit use in the conditional use list. Mr. Petersen reviewed several language changes. He reported that Mr. Bell had suggested adding a free standing commercial building to the CMU zone.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Matthew Hess** (Bountiful resident) stated he had been a member of the CMU committee. He felt the design standards had been well written and would provide a quality commercial area. He referred to the suggestion that there be an allowance for storage unit in the CMU. The current proposal for a Class-A storage unit would likely be done by a quality builder. However, he had had an unsolicited comment regarding the storage units. Some of his associates were very negative regarding such uses. He, therefore, was in opposition to allowing storage units in the CMU.

**Greg Bell** (Fruit Heights resident) made specific suggestions regarding the language of the draft. He said that he had also struggled with the concept of the storage units. He said that plans for the storage unit in Farmington was to build a fortress type of building with the entire exterior of the building aesthetically pleasing and consistent with the surrounding uses. He said that the location

of the storage unit would be placed in an area where no other uses would survive. The road would be about 35 feet above the land, and there would be very difficult access to the property. The property was ideal for the storage unit use.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Members of the Council reviewed details of the CMU and made suggestions for language changes.

When asked, **Mr. Petersen** reported that the Planning Commission discussed the auto repair shop, but did not recommend inclusion.

**Ms. Holmes** raised a question of how to determine how much open space designation should include wetlands. The City Council briefly discussed the issue.

The Council members discussed the advantages and disadvantages of different square footages allowances for commercial buildings. There was a consensus after the discussion that the zone should contain language allowing 70,000 square feet for a commercial building in the CMU

**Ms. Holmes** began a discussion of allowing auto repair shops in the CMU. Public input had suggested that “service-oriented” uses should be allowed in the CMU. An auto maintenance facility would be a service-oriented business.

**Mr. Hale** said there was a need for auto service facilities in the City. There are several categories for auto repair facilities. The current Haugen facility was more than just an auto maintenance shop. Mr. Hale felt that Mr. Haugen’s business could be made appropriate to the CMU with restrictions. Heavy uses, such as the salvage and used car sales and auto body repair, could be located in another area outside the CMU zone.

**Mr. Petersen** said that the auto maintenance use had been a topic of debate. Most communities would not allow such a use at a gateway of their city. He had had a great deal of negative response to such a use on the proposed parcel of ground. The Planning Commission did not discuss the use in great deal of detail because of their general feelings not to allow the use on the gateway property.

**Mr. Dutson** stated that the CMU included very strict design standards. He said that the location of the auto shop needed to be somewhere in the City. However, what may happen in the future if, when Mr. Haugen retires and someone takes over the operation who was not as careful about the appearance of the facility.

**Mr. Young** wondered if even a Class-A auto maintenance shop would satisfy the requirements and intentions of the CMU zone.

### **Motion**

**Susan Holmes** moved that the City Council enact the Commercial Mixed Use Zoning Text (CMU) with the text language changes as noted, including the fact that commercial building will be limited to 70,000 square feet, that a Class A auto maintenance facility will be strictly defined and included as a conditional use excluding auto body repair, salvage and sales, that # 10 of the conditional use list (convenience stores) shall include “with or without drive through windows,” and that the open space definition shall be allowed to include a specific percentage of designated wetlands. The motion shall be subject to acceptance of the definition section of the ordinance which is to be forthcoming. **David Hale** seconded the motion.

In discussion of the motion, **Mr. Hale** asked if there were parameters regarding the number of cars that could be on the auto maintenance property at one time.

Mr. Petersen said he would investigate to see what other communities have done with similar situations.

The motion passed by unanimous vote. **The Mayor** asked that all the changes be made and brought back to the City Council to make sure everyone understood and was in agreement with what had been done. The City Planner was asked to take the definition of the auto maintenance facility before the Planning Commission for their input.

### **PUBLIC HEARING: CONSIDERATION TO REZONE 12.16 ACRES LOCATED AT APPROXIMATELY 500 WEST AND 675 NORTH (PARK LANE) FROM “BP” TO “CMU”/ GREG BELL (CONTINUED FROM DECEMBER 1, 2004, CITY COUNCIL AGENDA) (Agenda Item #6)**

**Mr. Haugen** recused himself from discussion of the agenda item and participated in discussion only as a private citizen.

**Mr. Petersen** briefly introduced the agenda item. The issues had been thoroughly discussed by the City Council in previous meetings and in the prior agenda item.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Greg Bell** complimented the City Council for the work they were doing.

**Mr. Haugen** stated that he still believed the property in question should be a straight Commercial zone and not Commercial Mixed Use zone.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

### **Motion**

**Rick Dutson** moved that the City Council approved Ordinance No. 2004-72, an ordinance amending the zoning map to show a change of zone for property located at approximately 400 West 675 North from BP to CMU. **Sid Young** seconded, which passed by unanimous vote.

### **PUBLIC HEARING: CONSIDERATION TO AMEND CORNERSTONE SUBDIVISION PLAT ADDING THREE ADDITIONAL LOTS AND CONSIDERATION OF PETITION TO VACATE THE NORTH END OF 700 WEST STREET/ HARLEY AND JEAN EVANS (Agenda Item #7)**

Mr. Haugen rejoined the City Council members on the rostrum.

**Mayor Connors** stated that there had been citizen comment that the public had not had appropriate notification of the agenda item. Because of this, the applicant had requested the agenda item be withdrawn until a forthcoming meeting in January. However, because the agenda item had been noticed as a public hearing, the Mayor said the Council would take public comment from anyone who wished to offer it.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Bradley Springer** (2060 North) said he had received written notice of the last meeting. He asked for justification of the continuance noting he felt there had been plenty of ample notice to all interested parties.

**Mayor Connors** noted that whenever an applicant requests a withdrawal or delay in consideration, the City Council almost always complies.

**Mr. Springer** wished to reiterate that he and his wife were strongly opposed to having abutting lots to his own turned into flag lots. He and his wife had purchased their property understanding that other homes in the subdivision would be built with similar standards and lot sizes

as his own. He felt there would be property devaluation and a breach of public trust if the developer was allowed to reduce the lot sizes and to create the two flag lots in the subdivision.

**Mark Ross** (resident of Somerwood Subdivision and owner of one of the lots in the Evans subdivision) said he had heard the reported reasons the property had not been marketed in the last few years. However, for a developer to go back after a subdivision had been 50 percent built and ask for the City to redesign the subdivision to the detriment of existing home owners would be unconscionable. He was strongly opposed to the request.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration. **Mayor Connors** stated there had been included in the packet several letters regarding the request. He continued the agenda item to either January 5<sup>th</sup> or the 19<sup>th</sup>.

### **PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN FOR THE RODNEY HESS PROPERTY NORTH OF FARMINGTON RANCHES SUBDIVISION / BOYER COMPANY (Agenda Item #8)**

**Mr. Petersen** reviewed the agenda item. Unfortunately the item had not been noticed as a schematic plan during the last City Council meeting, thus the request appearing on the agenda for the current meeting.

### **Public Hearing**

**Mayor Connors** opened the meeting to a public hearing.

**Patrick Moffat** (Boyer Company) said the developer realized that approval would be subject to designation of wetland properties on the parcel. The legal description had not yet been submitted but was forthcoming.

### **Public Hearing Closed**

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

### **Motion**

**Susan Holmes** moved that the City Council grant schematic plan approval for the Rodney Hess property north of Farmington Ranches Subdivision, subject to wetland delineation and receipt of the legal description and transportation study results. **David Hale** seconded the motion, which passed by unanimous vote.



**FARMINGTON CROSSING PUD: FINAL PLAT/FINAL DEVELOPMENT PLAN  
APPROVAL REQUESTS/R.K. BUIE COMPANY, COWBOY PARTNERS AND GARBETT  
HOMES (Agenda Item #9)**

**Mr. Petersen** discussed the situation with the plat design of the Farmington Crossing PUD. Originally, the City had required the developer to improve and dedicate to the City the street shown on the north side of the plat with two safe and passable drive lanes acceptable to the City. At some future point, when it was determined where the most prudent location for a connection to the frontage road was, it would be required of the developer to relocate, fully improve, and connect the road to the one-way frontage road adjacent to U.S. Highway 89. The Planning Commission discussed the issue at length trying to decide whether the road should be dedicated to the City at the time of plat approval or if an easement would be sufficient. Finally, they recommended approval of the application with the request that the City Planner have the City Attorney review the issues involved and submit an opinion to the City Council prior to their consideration of the application. The City Attorney stated the City should not require a street dedication because of the unclear location. However, the developer should still be required to improve the street to a sufficient standard acceptable to the City, provide two points of access, and maintain two safe and passable drive lanes acceptable to the City. Mr. Petersen referred to the Planning Commission letter dated December 6 and stated that the conditions therein could remain with the exception that the words “and dedicate to the City” be deleted.

**Mr. Forbush** explained that the developer and City staff still need to agree to details pertaining to a master water metering system for the project. The system would include turn off valves, fire hydrants, and a maintenance plan. The issue of water system maintenance easements will also need to be addressed. These issues can be handled by staff.

**Mr. Hale** suggested that the pond amenity be named “Spring Creek Pond” for logical and esthetic reasons. The developer agreed.

**Motion**

**David Hale** moved that the City Council approve the final plat and final development plan for the Farmington Crossing PUD subject to amended conditions set for in the Planning Commission letter of December 6, 2004, (specifically regarding the elimination of the requirement to dedicate the road at this time) and to a mutually acceptable agreement regarding water system metering and maintenance. **Rick Dutson** seconded the motion. The City Council voted unanimously to pass the motion.

**WASATCH CHOICES 2040 PRESENTATION/BOB TERRAGNO (ENVISION UTAH) AND  
VAL JOHN HALFORD (WASATCH FRONT REGIONAL COUNCIL) (Agenda Item #10)**

**Val John Halford** presented the City Council with information regarding regional land use and a transportation visioning process. The question was “how do we create the best transportation system for us, our children, and our grandchildren?” The Plan set guiding policies for highways, public transit systems, and bikeways and trails. It also addressed growth and congestion. It would help prioritize federal projects and formed a basis for 5 year regional transportation plans. Mr. Halford reviewed processes which would hopefully produce favorable transportation systems by 2040.

**Mr. Terragno** stated the “visioning process” included the creation of alternative 30 year future scenarios, broad-based, grassroots public process, steering committee guidance, land use remaining under local control, and having the outcomes guide the creation of the regional transportation plan. Wasatch Choices 2040 is being chaired by Mayor Connors. Regional transportation systems are difficult to do because land uses change frequently. Transportation systems and land use elements impact quality of life. There must be a way to integrate the land uses on an on-going way to keep the transportation plans current. There were a great many elements that effect the best transportation and land use scenarios. Job creation, land consumption, air quality, traffic, water use, miles of driving, housing opportunities all had impact on land use and transportation plans. Mr. Terragno discussed ways to evaluate the quality of scenarios. Stakeholder workshops were of great importance. The workshops would help direct roads and transit, neighborhood and commerce, and open space uses. Nothing the community does costs more or has more impact on quality of life than transportation plans. Council members were invited to attend the workshops. The City is to develop an invitation list to the workshops.

#### **REVIEW PROCESS CONSIDERATION FOR GARDNER DEVELOPMENT PROPOSAL (I.E., INFORMATION MEETING, ADDITIONAL STUDIES) (Agenda Item #11)**

**Mayor Connors** said the Council was aware of the strong public interest generated by the proposed Gardner Development in northern Farmington. Staff had been asked to create a process that would allow everyone to participate in the decision regarding the use of property north of the Smith’s store. Once the process has been decided it would be published in the *Newsletter* so that the public would be aware of how they could become involved. The Mayor invited citizens to submit written comments regarding the proposed process.

**Mr. Forbush** discussed the drafted “Review Process” including what could be accomplished during specific meetings of the City Council and Planning Commission.

**Mr. Petersen** said he had suggested there be a town meeting for individuals who may be interested in economic development plans of the City. There had been a lot of public interest in having such a meeting. Mr. Petersen had discussed the “review process” with the Planning Commission. They felt they had already had the input they needed to make a decision. They did want the City Planner to hold the town meeting originally proposed for January 6<sup>th</sup>.

**Mr. Forbush** suggested the City Council may wish to consider hiring independent consultants to help review the Gardner development.

**Rick Dutson** commented that a great deal of time and effort had gone into the current General Plan amendment. He felt it should be defended unless there were compelling reasons for a change. All the criteria being used as reasons for changing the General Plan had been studied and considered when making the initial decision. He expressed his concern about using the limited resources of the staff and finances of the City.

**Ms. Holmes** was in agreement with Mr. Dutson. She had been a part of the General Plan amendment and knew there were specific reasons the decisions had been made the way they were. She felt the resources of the City should be spent on other demanding issues. She suggested that the City Council wait until they have a recommendation from the Planning Commission.

**Mr. Petersen** stated the Planning Commission wanted the January 6<sup>th</sup> meeting to cover the economic studies, including the need for increased revenues by the City.

**Mr. Hale** felt there could be benefit in having a independent specialist look at the general uses throughout the City. He wanted to take another look at economic development in more than one area. However, he did not want to spend a lot on the project.

**Mr. Young** felt that the intricate and lengthy process that had recently been accomplished was valid, but he felt that it was important that the citizens understand the information. He supported the town meeting to discuss the topics suggested. After such a meeting, the Planning Commission could hold a public hearing and then make their recommendation to the Council.

**Mr. Haugen** had concerns with the Gardner proposal. He wanted to give as much information to the public as possible.

**Mr. Dutson** was not in opposition to having the Planning Commission holding a meeting to obtain the information they needed to make a recommendation to the City Council. His concern was that a meeting be held that seemed like an advocacy of any one development.

**Mayor Connors** said that in asking for a process of review, it was his goal to have the public understand that the Council does not advocate any one proposal but remained open to all information, applications, and especially citizen input. Having a public meeting would be a service to the public in providing the information.

**Mr. Young** felt there was great worth in having a meeting to inform the public, not only about the Gardner proposal, but regarding economic development throughout the entire City.

**Mr. Hale** said the citizens could learn about critical issues of public safety, transportation, and general planning issues throughout the City.

**Mr. Forbush** said his and the City Planner's motive in creating the process was not to advocate any one development anywhere in the City. Having said that, Mr. Forbush stated that Staff was truly concerned about the need for increased revenues. The need for economic development centered somewhere around the 89 corridor was a key issue. Acceptable transportation designs for the area were a top priority. Mr. Forbush felt transportation impacts must dictate where commercial should go. Park Lane has the potential of being over-loaded. He felt the suggested review process included topics that were valid.

**Mr. Dutson** wanted to have the Planning Commission consider whether or not there were compelling reasons to change the General Plan. He felt it was a trust issue. A great deal of work had gone into the initial decision for the General Plan Amendment. It should not be over-turned without extensive and compelling consideration.

**Mr. Petersen** said staff did not want to seem prejudice toward any development, thus they felt it would be good to have an independent consultant review plans being made for traffic, economic development and land use planning in general. Other information had come to the City which could impact the effectiveness of the General Plan Amendment. Such compelling facts needed to be investigated.

**Mayor Connors** said everyone recognized that the City had already gone through a tremendous process to come to this point.

**Mr. Hale** felt strongly that he needed all of the facts about transportation engineering in order to make any intelligent and beneficial decision. Such information seemed to be changing from time to time. He said if he could gain the needed information then he was supportive of the individual consultants.

**Mayor Connor** asked the Council to decide whether or not there would be a town meeting.

### **Motion**

**David Hale** moved that the City Council support the Planning Commission in holding the informational town meeting on January 12<sup>th</sup>. The meeting would be for information purposes only. The meeting was changed from the original suggested date of January 6<sup>th</sup> to accommodate notification and agenda load.

**Mayor Connors** asked that the City Planner request the Planning Commission have a recommendation regarding the Neighborhood Mixed Use zone text prior to the City Council meeting scheduled for February 16<sup>th</sup>.

**Mr. Dutson** felt that consultants should not be retained until the City had decided whether or not there was a compelling reason to change the General Plan.

**Mr. Hale** felt there would be impacts around the parcel of ground between Main Street and Highway 89 and he felt a critical need to understand those impacts.

**Mayor Connors** observed that everyone felt a need to eventually do more traffic studies. The question was when to do so. By consensus, most Council members felt the City should wait. He asked the Council to consider within the next few weeks how to give the staff added planning support, especially in the light of the urgency surrounding TOD proposals for west Farmington.

The Mayor stated that Farmington was a wonderful community, full of citizens who love and respect each other even in the face of differences. Sometimes things may be said that are later regretted. The Mayor expected from the Council, the staff, and the citizens the highest level of exchange. At some point the City Council must make a decision, and somebody will not like that decision. Mayor Connors stated that he had never known one person in the City in all his years of service who had a hidden agenda. Everyone associated with the City just wanted the best for the City. The Council will make the best possible decision based on the best possible information. Mayor Connors invited the citizens to be a part of the process. When necessary, he hoped everyone involved could agree to disagree agreeably.

#### **PLANNING COMMISSION REPORT (Agenda Item #12)**

The mayor was excused for a few minutes, and Mayor Protem Holmes conducted the meeting in his absence.

**Mr. Petersen** reported the Planning Commission meeting held December 2<sup>nd</sup>. He covered the following items:

1. The Planning Commission granted preliminary plat approval for a southerly portion of the subdivision consisting of up to 75 lots located on the McKittrick property at 675 North 1800 West.
2. The Planning Commission felt they had been led to believe there would be a road configuration that would benefit other property owners in the area. They asked the developer to consider designing the road such that property owners to the west would have access to the back of their large parcels.
3. The Planning Commission approved the preliminary plats (7-A and 7-B) for Phase 7 of the Farmington Ranches Subdivision consisting of 28 lots on 46.04 acres located approximately 2200 West Clark Lane.

4. The Planning Commission granted site plan approval and recommended that the City Council grant final plat approval for the proposed Farmington Crossing PUD consisting of 159 “for sale” residential dwelling units on 11.74 acres located at approximately 850 North Shepard Creek Parkway.
5. The Planning Commission recommended an amendment to Section 11-5-107(7) of the zoning ordinance to unconditionally allow construction if construction commenced within 12 months and as long as it was a residential structure of two units or less.
6. The Planning Commission voted to eliminate the parenthetical text on 11-19-104(b)(3) regarding Class A self-storage units and to investigate further defining Class A, Class B, and Class C self-storage units as a conditional use in the CMU zone.
7. The Commission postponed discussion of the NMU zone text.

Mr. Petersen asked that the Council forward pertinent emails to City staff so that they could be made a part of the permanent record.

**MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #9)**

**Sid Young** moved that the City Council approve the following items by consent as follows:

1. Ratification of approval of construction bond agreements previously signed by Mayor Connors.
2. Approval of November’s disbursement list.

**Larry Haugen** seconded the motion, which passed by unanimous vote.

**ORDINANCE ESTABLISHING TIME AND PLACE FOR HOLDING REGULAR FARMINGTON CITY COUNCIL MEETINGS FOR 2005 (Agenda Item #14)**

**Motion**

**Rick Dutson** moved that the City Council Ordinance No. 2004-73, an ordinance establishing a time and place for holding regular Farmington City Council meetings. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**REAL ESTATE PURCHASE AND SALES AGREEMENT WITH AMENTI, INC., (MERLIN MORRISON PROPERTY) FOR ADDITIONAL LAND TO WIDEN CLARK LANE AT 1100 WEST (Agenda Item #15)**

**Mr. Forbush** explained that the property was needed in preparation for the widening of Clark Lane at 1100 West.

**Motion**

**David Hale** moved that the City Council approve the purchase and sales agreement with Amenti, Inc., (Merlin Morrison property) for additional land (842 square feet) to widen Clark Lane at 1100 West. **Sid Young** seconded the motion, which passed by unanimous vote.

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE DEEDS, EASEMENTS, RECEIPTS AND OTHER DOCUMENTS ON BEHALF OF FARMINGTON CITY (Agenda Item #16)**

**Motion**

**David Hale** moved that the City Council adopt Resolution No. 2004-74, a resolution of the Farmington City Council authorizing the City Manager to execute deeds, easements, receipts and other documents on behalf of Farmington City. **Rick Dutson** seconded the motion, which passed by unanimous vote. At the suggestion of Sid Young, the City Council requested that a list of such actions be included in the packet of the City Council meetings.

**AMENDMENTS TO TITLE 14 (TRAFFIC CODE) REGARDING UNAUTHORIZED PARKING IN CITY PARKS (Agenda Item #17)**

**Motion**

**Rick Dutson** moved that the City Council approve Ordinance No. 2004-75, an ordinance enacting Section 14-5-105.1 of the Farmington City Municipal Code regarding parking in City Parks. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**FINAL ADJUSTMENT TO CITY MANAGER EMPLOYMENT AGREEMENT (Agenda Item #18)**

**Motion**

**David Hale** moved that the City Council approve the final adjustment to the City Manager Employment Agreement. **Larry Haugen** seconded the motion, which passed by unanimous vote.

**APPLICATION FOR TARGETED BROWNSFIELD ASSESSMENT GRANT WITH STATE DEPARTMENT OF ENVIRONMENTAL QUALITY (Agenda Item #19)**

The City Council discussed the possibility of including the Haugen property in the environmental assessment. **Mr. Forbush** was willing to do as the Council directed but suggested it may take longer than the time available.

**Larry Haugen** moved that the City Council approve the application authorizing the City Manager to move forward with the assessments of the old Shop property and the old landfill property near Farmington Pond. **Rick Dutson** seconded the motion, which passed by unanimous vote.

**MISCELLANEOUS (Agenda Item #20)****Commuter Station**

Mr. Forbush reported that the Haws development was under some new pressure to design and move forward with the commuter station. UTA would like to have the station built by the Fall of 2006. Mr. Forbush stated that Mr. Haws had changed his mind about having a portion of the development under an EDA. He would now like the entire project created under an RDA. The RDA would require that a blight study be conducted prior to the start of the taxing entity. The City Council directed that there be a special City Council meeting after the Office Christmas party on the 17<sup>th</sup> of December to discuss the issue.

**Mr. Dutson** stated that Mr. Haws felt there may have been a misunderstanding by City officials regarding what he wanted from them. Mr. Haws wanted help from the City to build infrastructure to the station. Mr. Dutson felt there needed to be a very clear communication between Haws and City officials.

**Mr. Forbush** expressed his opinion that the Governing Body weigh and measure tax increment proposals very carefully before prematurely making decisions because of legal requirements and the public demand for justifiable public participation.

**Remnant Lot Near Heritage Park**

Mr. Forbush reviewed with the City Council the proposed asking cost for the remnant lot near Heritage Park. Mr. Forbush was directed to obtain opinions from realtors to determine what a minimum acceptable bid should be.

**Town meeting scheduled for January 12**

Mr. Young expressed his thought that the town meeting scheduled for January 12 needed to be carefully orchestrated and thoroughly prepared. It should not be an open meeting for discussion,



but rather a carefully prepared dissemination of appropriate and helpful information for interested citizens. It should cover in a clear manner the essential highlights that would give the public what they need to know without a great deal of burdensome detail. If the meeting contains too much unnecessary detail it will serve to confuse citizens rather than be helpful. A clear outline with specific bulleted information would be helpful. It was suggested that Mayor Connors conduct that meeting.

[Mayor Connors returned to the meeting at 11:30 P.M.]

### **Haws development update**

Ms. Holmes asked for updated information regarding the Haws development. She felt all Council members would be interested in a synopsis of what is happening. A brief discussion of the Haws development ensued.

### **ADJOURNMENT**

**Rick Dutson** moved that the meeting adjourn at 11:40 P.M. **Susan Holmes** seconded the motion, which passed by unanimous vote.

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Margy Lomax, City Recorder  
Farmington City